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**Subject:** State & Local Report for the Week of September 23, 2021

# EPA State & Local Weekly

September 23, 2021

## PRINCIPAL ENGAGEMENTS WITH STATE & LOCAL OFFICIALS

**National Association of State Departments of Agriculture (NASDA)** hosted Administrator Regan for a fireside chat to discuss EPA's commitment to stakeholder engagement and the importance of the agricultural community's engagement with EPA and the Biden-Harris Administration. – September 20

**New York Governor Kathy Hochul, Lt. Governor Brian Benjamin, and Dept. of Environmental Conservation Commissioner Basil Seggos** joined Administrator Regan for a Climate Week press conference where the Administrator discussed the Build Back Better Agenda and the importance of investments in the Bipartisan Infrastructure Deal. – September 21

## EPA Engagements and Events with State & Local Officials

### Vessel Incidental Discharge Act State Engagement.

EPA's Office of Water will host a call with states on Gas Cleaning Systems related to the Vessel Incidental Discharge Act. – September 21

### Financial Capability Assessment for Municipalities

The US Conference of Mayors, National League of Cities, National Association of Counties, and the African American Mayors Association will meet with leadership in EPA's Office of Water, Office of Enforcement and Compliance Assurance, and the Office of Congressional and Intergovernmental Affairs to discuss EPA's Financial Capability Assessment (FCA) Guidance. – September 22

### Contaminated Sites Conveyed under the Alaska Native Claims Settlement Act

Alaska DEC Commissioner Jason Brune and EPA leadership from Office of Enforcement and Compliance Assistance, Region 10, and the Administrators Office will meet to discuss contaminated sites on lands conveyed by the federal government under the Alaska Native Claims Settlement Act. – September 15

## Municipal Ombudsman Clean Water Act Corner

### **Outreach:**

- NPDES Enforcement Managers Meeting – September 20
- EPA/USDA Forum: Financing Nutrient Management Improvements in the Southeast United States – October 26/27

### **Resources:**

- USACE launched [International Guidelines on Natural and Nature-Based Features for Flood Risk Management](#)
- EPA announced a WIFIA loan to the [Springfield Water and Sewer Commission](#) for its Water and Wastewater Infrastructure Renewal Program.
- EPA's NEW Grant Program: [EPA Selects Recipients to Provide Training and Technical Assistance for Small Wastewater Systems](#)
- EPA's [Septic Smart Week: September 20-24, 2021](#)
- EPA Formalizes [Local-Federal Partnership to Protect Mississippi River Communities from Plastic Pollution](#)
- [Campus RainWorks Challenge](#), green infrastructure design competition for college students - registration open now through **October 1**
- Did you know that communities can use American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds to improve access to clean drinking water and support wastewater and stormwater infrastructure? [Learn about the American Rescue Plan](#)
- Under the American Rescue Plan, the Economic Development Agency (EDA) was allocated \$3 billion in supplemental funding to assist communities nationwide in their efforts to build back better. [Six Notices of Funding Opportunity](#) released, application dates vary
- DOI NPS [Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program Grant](#) – apply by **September 24, 2021**
- EPA's [National Priorities: Water Innovation, Science, and Engagement to Advance Water Reuse](#) Request for Applications - apply by **September 29, 2021**
- DOI FWS [Coastal Program Grants](#) – apply by **September 30, 2021**
- EPA's [FY2022 Brownfields Job Training \(JT\) Grants](#) Apply by **October 5, 2021**
- DOI Bureau of Reclamation [WaterSMART Drought Response Program: Drought Resiliency Projects](#) funding in Western States/Tribes/Territories. Apply by **October 5, 2021**
- EPA's [Supporting Anaerobic Digestion in Communities](#) to demonstrate means of accelerating the development of new or enhance/increase existing anaerobic digestion capacity and infrastructure in the United States from food waste. Apply by **October 7, 2021**
- DOI Bureau of Reclamation [FY22 Native American Affairs: Technical Assistance to Tribes \(15.519\)](#) grants and tech asst. for water needs assessments, water management studies, water quality data collection and assessments and water measurement studies. Apply by **October 20, 2021**
- USDA NRCS [Racial Equity and Justice Conservation Cooperative Agreements](#). Proposals should support activities that introduce the concepts of climate-smart agriculture and to assist producers with planning and implementation of conservation practices and principles. Apply by **October 25, 2021**
- EPA's [19th Annual P3 Awards: A National Student Design Competition Focusing on People, Prosperity and the Planet](#) Request for Applications (RFA). **Apply by October 27, 2021**
- DOI Bureau of Reclamation [WaterSMART Water and Energy Efficiency Grants in Western States/Tribes/Territories](#). Apply by **November 3, 2021**
- North American Commission for Environmental Cooperation (CEC) launched \$2 million grant program, [EJ4Climate](#), to support environmental justice and climate resilience for underserved, vulnerable communities, and Indigenous communities across North America. Apply by **November 14, 2021**
- DOI Bureau of Reclamation [WaterSMART Environmental Water Resources Projects Grants](#) for Western States/Tribes/Territories. Apply by **December 9, 2021**
- FEMA's [Building Resilient Infrastructure \(BRIC\) grants](#) Notice of Funding Opportunity released for \$1 billion in funding. BRIC funding will open on Sept. 30, 2021, and close at 3 pm ET on **January 28, 2022**
- EPA's [WIIN 2104: Grants to Improve Drinking Water Quality in Small, Underserved Disadvantaged Communities \(SUDC\)](#) grant. States apply by **June 30, 2022**.

- Technical Assistance for CWA Integrated Planning extended until **September 2022**: For **state** NPDES permitting authorities reviewing a CWA integrated plan or municipalities in the process of alternatives analysis. See flyer for more details

### **Webcasts/Workshops:**

- September 22, 1pm ET – EPA's Building Greener Boston: Creating and Connecting the Green Infrastructure Workforce
- September 22, 1pm ET – EPA's Industrial Pretreatment Program Audits of Municipal Wastewater Treatment Plants: What to expect, how to prepare, and common findings (PLUS! New website to announce future technical assistance webinars and archive past webinars)
- September 23, 6pm ET – EPA's Growing Grassroots: Building Capacity for Environmental Justice Work in the Southeast
- September 28– October 12: NOAA & [EXTERNAL] Water Research Foundation present sessions on Science of Precipitation and Planning for the Future for Local Planners:
  - Session 3: From Climate Vulnerability to Adaptation - Climate Informed Water Planning Part 2 - September 28, 2:00 - 4:00 ET
  - Session 4: What's on the Horizon for Water Infrastructure Managers? - October 5, 1:30 - 3:00 ET
  - Session 5: Peer Examples: Evaluating Changing Precipitation Trends for Managing Water Infrastructure - October 12, 1:30 - 3:30 ET
- September 29, 2pm ET – EPA's Water Research Webinar: Valuing Aquatic Ecosystem Health at a National Scale
- September 30, 3pm ET – EPA's Public Webinar on Ambient Water Quality Criteria to Address Nutrient Pollution in Lakes and Reservoirs
- October 6, 2pm ET – EPA's Putting the Brakes on Water Pollution: A story of industry and government collaboration for copper-free brakes
- October 13/14 – EPA's Introduction to Water Sector Cybersecurity Virtual Workshop
- October 14, 1pm ET – EPA's Smart Sewer Systems and Smart Data Infrastructure Session 1
- October 15, 1pm ET – EPA's Risky Business: Overcoming Challenges to Attracting Investment at Brownfields Sites
- October 21, 12pm ET – DOD/EPA/DOE's Advances in Stormwater Monitoring and the Development of Best Management Practices for Treatment
- October 21, 1pm ET – EPA's Optimize Your Wastewater Treatment Plant: Save Energy and Reduce Nutrient Discharge
- November 3/4 – EPA's Introduction to Water Sector Cybersecurity Virtual Workshop
- November 18, 1pm ET – EPA's Troubleshooting Sludge Problems in Wastewater Lagoon Systems
- November 19, 1pm ET – EPA's Show Me How: Brownfields Redevelopment in Economically Distressed Areas
- December 7, 1pm ET – EPA's Smart Sewer Systems and Smart Data Infrastructure Session 2 (Contact: Jamie Piziali, Municipal Ombudsman)

## **Local Government Advisory Committee**

The *Local Government Advisory Committee (LGAC)* and its *Small Communities Advisory Subcommittee* will meet October 14 and 15. Day one will be an administrative meeting with a focus on orientation for new and returning members, while day two will be a public meeting and will include an overview of the Administration's priorities for water, air, land and environmental justice. The meeting will be held virtually and will be announced soon in the Federal Register. (Contacts: Paige Lieberman and Lynzi Barnes)

## **RECAP**

### **Meeting with City of Dayton, OH Local Officials**

On Monday, September 20, OIR joined Region V, the Office of Land and Emergency Response, and the Office of Water in a meeting with Dayton City Manager Shelley Dickinson, Assistant City Attorney John Musto, and Mike Powell, City Water Director, for a meeting to discuss the city's efforts to prevent potential PFAS contamination of its drinking water and soil that could possibly result from operations in the nearby Wright-Patterson Air Force Base. City Commissioner Chris Shaw was scheduled to join but had to attend an event at Vice President Harris's residence. Casey Katims, Deputy Associate Administrator for Intergovernmental Relations, welcomed the group and spoke to the Administration's and Administrator Regan's commitment to meaningful engagement with communities facing PFAS and other emerging contaminants challenges, and on regulatory and other actions being considered by EPA. DAA Katims also spoke to resources in the Bipartisan Infrastructure Deal and other major Infrastructure packages moving through Congress. Region V led the extensive dialogue, provided guidance, and confirmed a path forward for follow-up convenings and the sharing of funding materials for the city's perusal. The Region V panel included *Water Division/Groundwater and Drinking Water Branch representatives*: Candice Bauer, Branch Chief; Steve Marquardt, Section Chief, State and Tribal Program & Support Branch; Victoria Heath, Environmental Engineer; Wendy Drake, Environmental Protection Specialist & Ohio State Program Manager; Kimberly Harris, Regional Multi-media PFAS Advisor/Immediate Office; *Superfund & Emergency Management Division*: Jeffrey Kimble, On-Scene Coordinator; Syed Quadri, WPAFB Remedial Project Manager; *Office of Regional Counsel*: Thomas Williams, Attorney; Richard Murawski, Attorney; and Office of the Regional Administrator/External Communications Office: Ronna Erin Beckmann, Intergovernmental Liaison.

Greg Gervais, P.E., Director, Federal Facilities Restoration & Reuse Office; Dana Stalcup, Director, Office of Superfund Remediation and Technology Innovation also participated in the dialogue. Office of Wastewater Management Deputy Director Wynne Miller, Water Permits Division's Director Christopher Kloss, and Maria Lopez Carbo, Water Permits Division, rounded out the EPA representation.

The City officials were interested in EPA's efforts to address, identify, mitigate, and combat PFAS, and funding opportunities to support communities' efforts to address PFAS contamination. The City also supports the designation by EPA of PFAS as a Hazardous Substance. The City of Dayton is near the Wright-Patterson Air Force Base. The City is concerned about releases and contamination from the Air Force Base that could threaten its drinking water supply substantially. The local officials want to take all precautions possible, including investing the necessary funding, to prevent PFAS contamination from spreading from the Air Force Base into the city's drinking water and soil. Water Director Powell noted that the Ohio EPA has been instrumental in assisting the city's efforts. According to Powell, "on-base" property has already been impacted by PFAS contamination. According to Assistant City Attorney Musto, contaminant readings of 150 ppt have already been documented in areas directly adjacent to the Air Force Base.

Certain wells of the Dayton Public Water System have low levels of PFAS detected. Since 2016, the city has been working closely with Wright Patterson and EPA to stop the migration of contaminants, mitigate, and create barriers, including pumping strategies, to fight spread. The city, working with EPA, proactively shut down seven water producing wells when contaminant levels over 70 ppt were detected. There are two water plants in Dayton, one of which was tested and found to have 19 ppt of PFOA and PFOS (combined). There are also detectable levels of PFAS/PFOA in the groundwater and soil. While the City was quick to take precautionary action to monitor the levels in the drinking water, to minimize effects to the drinking water, they are concerned about the levels increasing and detection area expanding.

The City feels a sense of urgency to address the threat of widespread water and soil contamination before financing mitigation efforts becomes excessively costly. The local leaders welcomed the reiteration of Region V's commitment to protecting its drinking water supply from PFAS/PFOA contamination, and to facilitating useful and regular engagement that would potentially involve all relevant stakeholders. The leaders look

forward to follow-up convenings and close collaboration with Region V, and is aware that EPA headquarters will remain involved as well. *(Contact: M. Arnita Hannon Christmon)*

#### **Off-Site Stormwater Management Engagement with Intergovernmental Associations**

On Thursday, September 16, OIR facilitated an Office of Water discussion with D.C. staff of the US Conference of Mayors, National League of Cities, National Association of Counties, and African American Mayors Association on the Off-site Stormwater Management concept. Lisa Biddle, Branch Chief, Water Permits Division, Office of Wastewater Management, Rachel Urban, Off-site Stormwater Management Project Lead, and Heather Goss, Environmental Scientist, led the dialogue. The Associations gained a better understanding of the concept, and had an opportunity to react, share input and ideas, and ask questions.

Off-site Stormwater Management provides project developers with the option to meet MS4 performance standards for management of post-construction stormwater (e.g., volume retention requirements) at a location other than the project site under certain conditions. For example, outside of the right-of-way (ROW) of an infrastructure project, at another location in the community or in the same watershed, instead of on site. The Associations appreciated the discussion, and look forward to working with EPA on the concept. *(Contact: M. Arnita Hannon Christmon)*

#### **Mississippi River Cities & Towns Initiative Names New Leadership During Annual Meeting**

At the conclusion of its virtual 10<sup>th</sup> Annual Organizational Meeting, held September 14-16, MRCTI announced new leadership for the next two year term. Co-Chairs Mayors Sharon Weston Broome (Baton Rouge, LA), and Mayor Bob Gallagher (Bettendorf, IA) presided over the Business Meeting and confirmed that Mayors Jim Strickland (Memphis, TN), and Errick Simmons (Greenville, MS) will begin their terms as Co-Chairs.

The Conference also highlighted the announcement of a landmark Memorandum of Understanding (MOU) between EPA and MRCTI that formalizes their local-federal partnership to tackle plastic pollution in the Mississippi River through community-driven effort. Deputy Administrator Janet McCabe led the signing with over forty MRCTI member mayors of an MOU to affirm EPA's commitment to working collaboratively with local communities along the Mississippi River to address pollution and other shared environmental challenges. In her remarks, McCabe noted EPA's excitement in partnering with MRCTI to protect communities within the Mississippi River corridor, including those that are vulnerable, underserved, and overburdened by environmental challenges. She noted that, "We are all upstream of somebody. This partnership is a first of its kind, spanning multiple regions, to sustainably manage waste and prevent and reduce plastic pollution in the mighty Mississippi River. Investing in communities to make them cleaner, healthier, stronger, equitable, and more economically competitive is one of our most important objectives at EPA." *(Contact: M. Arnita Hannon Christmon)*

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